

Application No.: 10/699,500

Docket No.: JCLA8104-D

REMARKS**Present Status of the Application**

In the Office Action, claims 5-9 are rejected. Specifically, claims 5-9 are rejected under 35 USC §103(a) as being unpatentable over Finkl (US Patent No. 5,393,723) in view of Prior Art JP62047839. Reconsideration and allowance of those claims is respectfully requested.

Response to Claims Rejections under 35 USC §103

Claims 5-9 are rejected under 35 USC §103(e) as being unpatentable over Finkl (US Patent No. 5,393,723) in view of JP62047839.

For a proper rejection of a claim under 35 U.S.C. section 103, the cited combination of references must disclose, teach or suggest all elements/features/steps of the claim.

Independent claim 5 states:

Claim 5. A final plated layer with low lead content, comprising:

tin as the majority component in weight;
lead of 25 to 100,000 ppm in weight;
thallium of 10 to 5,500 ppm in weight; and
iron of 10 to 5,500 ppm in weight.

(Emphasis Added)

Independent claim 5 is allowable for at least the reasons described below.

First, the application is non-analogous with Finkl or JP62047839. The application is related to a final plated layer with low lead content. However, in the abstract of Finkl, it is disclosed that "the catalyst is provided for improving the performance of hydrocarbon fuels used in internal combustion engines." In addition, the purpose of JP62047839 is about "to improve

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characteristics relating to recording, erasing and reproducing of information by forming an average composition of a thin film in the film thickness direction into a combination of Se and Te selected from two kinds of element groups.”

Second, the concentration of each of the components of the application is not disclosed, taught or suggested by Finkl or JP62047839.

Third, according to col. 1, lines 55-65 of Finkl, it is disclosed that “the elements of iron or copper or silver must be in the chemical proximity of the catalyst but are not considered to be components of the catalyst.” Therefore, Finkl does not make claim 5 of the application obvious.

Fourth, according to the constitution of JP62047839, it is disclosed that “the thin film for information recording has a high crystallization temperature, high sensitivity and excellent stability.” However, according to the SUMMARY of the application, the application may “reducing the melting point of the plating liquid.” It is noted that, for a chemical compound, the higher the crystallization temperature thereof, the higher the melting point thereof. Therefore, JP62047839 is teaching away from the application, and thus those skilled in the art are not motivated to modify JP62047839 to obtain the application.

Therefore, Finkl and JP62047839, let alone or combined thereof, does not render claim 5. The withdrawal of the rejection and the allowance of claim 5 are therefore earnestly solicited.

If independent claim 5 is allowable over the prior art of record, then its dependent claims 6-9 are allowable as a matter of law, because these dependent claims contain all features/elements/steps of its respective independent claim 5.

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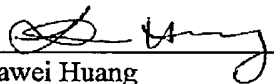
CONCLUSION

For at least the foregoing reasons, it is believed that all pending claims 5-9 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Date: 8/5/2004

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Respectfully submitted,
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